

PHILLIP A. TALBERT
United States Attorney
MATHEW W. PILE
Associate General Counsel
Office of Program Litigation, Office 7
MARGARET BRANICK-ABILLA (CABN 223600)
Special Assistant United States Attorney
Office of Program Litigation, Office 7
Office of the General Counsel
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235
Telephone: (510) 970-4809
Email: Margaret.Branick-Abilla@ssa.gov

Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SEAN JAMES DOWNING,

Civil No. 2:23-cv-02198-DMC

Plaintiff,

VS.

COMMISSIONER OF SOCIAL SECURITY,

STIPULATION AND ORDER FOR EXTENSION OF TIME

Defendant.

IT IS HEREBY STIPULATED by and between the parties, through their undersigned attorneys, with this Court's approval, to extend the time by 45 days, from March 2, 2024 to April 16, 2024, for Defendant to file his Cross-Motion for Summary Judgment. Plaintiff's optional reply shall be due within 14 days after the filing of the Commissioner's Cross-Motion.

This is Defendant's first request for an extension of time. Plaintiff's counsel does not oppose the requested extension.

The undersigned counsel for the Commissioner respectfully submits that good cause exists for the requested extension. Due to ongoing staffing fluctuations and organizational changes, the

undersigned counsel for the Commissioner has been tasked with additional duties including serving as a jurisdictional coordinator, reviewing other attorneys' work, training and mentoring new attorneys, and handling more cases, with responsibility for over 40 cases pending in District Court and the Ninth Circuit. The undersigned counsel for the Commissioner is also going to be out of the office for almost two weeks in March traveling with an aged parent. As a result, and despite diligent efforts to comply with this Court's Scheduling Order, counsel for the Commissioner needs an extension in the instant case to review the administrative record, consider the issues that Plaintiff has raised, confer with his client as necessary, and prepare the Commissioner's Cross-Motion.

Respectfully submitted,

Dated: February 28, 2024

GERRARD LAW OFFICES

By: /s/ Josephine Gerrard*
JOSEPHINE GERRARD
Attorney for Plaintiff
[*as authorized by email on Feb. 28, 2024]

Dated: February 29, 2024

PHILLIP A. TALBERT
United States Attorney
MATTHEW W. PILE
Associate General Counsel
Office of Program Litigation, Office 7

By: /s/ Margaret Branick-Abilla
MARGARET BRANICK-ABILLA
Special Assistant United States Attorney
Attorneys for Defendant

ORDER

Pursuant to the parties' stipulation, IT IS ORDERED that the Commissioner's Cross-Motion for Summary Judgment shall be due on April 16, 2024 and Plaintiff's optional reply shall be due within 14 days after the filing of the Commissioner's Cross-Motion.

Dated: February 29, 2024



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE